

A store which advertises only on  
occasionally justifies the inference that  
it is only occasionally that it has any  
thing to advertise.

# The Fairmont West Virginian.

In Every Sense of the Word—THE HOME PAPER.

The Weather  
Fair and cool tonight, Sunday fair.

VOLUME VI.

FAIRMONT, WEST VIRGINIA, SATURDAY, MAY 1, 1909.

NUMBER 12

## LUCKY GIRL! LOOK ON PAGE THREE

### KODAKS

The time is here for Kodak-  
ing. The only place in the city  
that you can get Eastman's Ko-  
daks and supplies. Come in and  
let us demonstrate the simplicity  
of Kodaking.

323-325 Main St., Fairmont, W. V.

We will do your developing and  
printing. Get our prices.

### CLYDE S. HOLT

323 and 325 Main St.

### DOGS FOUND RIGHT MEN

GUILTY CULPRITS CONFESSED  
AFTER HOUNDS RUN THEM  
DOWN.

Landes and Harris came in from  
Unifontown today from a successful  
trip with their hounds in that vicin-  
ity. Yesterday they were called to  
Oliver mine No. 3 about three miles  
from Unifontown to run down two men  
who placed a stump and other material  
on the railroad which caused a freight  
wreck, demolishing several cars. The  
dogs, King Ed., Tracy, Bess and Bell  
were put on the trail. They followed  
it about a mile. Two men, Andy Cu-  
drick and Joe Mocks, were captured.  
They confessed to the crime. On their  
way to the Unifontown jail they showed  
the officers where they got the stump  
that was placed on the track.  
The hounds did their usual good  
work on this trip.

### WIDENING OF FIFTH AVENUE BEGUN

(Union Associated Press.)  
NEW YORK, May 1.—The city be-  
gan today the widening of Fifth ave-  
nue at points where property owners  
have not already removed their en-  
croachments. The line is drawn at  
the house front line. The work began  
at Forty-seventh street.

Rev. and Mrs. G. D. Smith returned  
from Wheeling this afternoon.

### SPECIAL SALE OF WATCHES

Ladies' or Gentlemen's Gold  
Filled Twenty Year Case, fitted  
with genuine Elgin movements  
for \$7.75. Sale will only last  
a few days and only one watch  
sold to a customer.

A. B. SCOTT & CO.,  
Jewelers and Opticians.



WE  
Are Breaking  
ALL  
Past Records

This season in our sales. It's because  
of the

STYLE, FIT AND WEAR

that customers find in our foot wear.  
We have Shoes for the whole family.

SHURTLIFF AND WELTON.

### Plants for Your Yard

H. GLEN FLEMING,  
The Florist.

### Epidemic of Cyclones and Tornadoes Hundreds Killed In The South and West

DEATH AND DESTRUCTION  
TOLD IN PARAGRAPHS.

TENNESSEE—Estimated dead, 50;  
total loss, \$1,000,000; Franklin, Hills-  
boro, Centerville, Pulaski, Chatta-  
nooga, Ebenezer, Knoxville, Charleston,  
Cuba, Gilestown, Memphis, all badly  
damaged.

MISSISSIPPI—Horn Lake, 12 dead,  
heavy loss to property; neighboring  
towns damaged; wires nearly all down.  
ARKANSAS—Mammoth Springs, 8  
dead, many buildings wrecked; whole  
State reports heavy losses.

GEORGIA—Atlanta, Rome, Em-  
erson and Monroe report five dead; in-  
tense property loss.

ALABAMA—Huntsville and Hart-  
sell report several dead, many in-  
jured and heavy losses to property.

MISSOURI—Golden, Alton and Sum-  
merville nearly wiped out, 13 dead and  
many injured.

ILLINOIS—Three dead in Chicago,  
heavy loss to property; scores in-  
jured; Texas City wrecked and four  
killed.

MICHIGAN—Benton Harbor and  
South Haven badly damaged; many  
vessels imperiled on lakes; huge tidal  
wave swept Lake Michigan.

WISCONSIN—La Crosse and Super-  
ior suffer heavy property loss.

INDIANA—Michigan City State  
prison wrecked and troops rushed to  
scene to guard prisoners.

ATLANTA, Ga., May 1.—An epi-  
demic of cyclone and tornadoes, the  
like of which have not been known  
for years, swept through the south on  
Thursday night and Friday, leaving in  
their wake hundreds of dead and man-  
gled bodies and the dismantled wrecks  
of property worth many millions.

An exact list of the dead and an ac-  
curate estimate of the monetary loss  
may not be completed for days, but  
from all along the path of the storm  
came tales of fearful loss of life and  
descriptions of whole towns and vil-  
lages completely wiped out.

The storm wave seems to have had  
its origin in the north and swept from  
the lake region south in irregular fash-  
ion, now moderating its force as  
though spent, now growing more tur-  
bulent and angry.

Tennessee Suffers Severely.  
The State of Tennessee was an es-  
pecially heavy sufferer. At 10 o'clock  
last night, careful estimates indicate  
that at least 50 people were killed in  
that State alone, while the loss in  
dollars and cents will not fall short of  
\$1,000,000. At Franklin and in Hills-  
boro town was loss of life. The latter  
town is said to be practically de-  
stroyed, while at Centerville and ad-  
joining villages the damage is report-  
ed very heavy both in lives and prop-  
erty. Near Pulaski, in Giles county,  
the death list reached 12, and many  
were injured.

(Continued on Page Eight.)

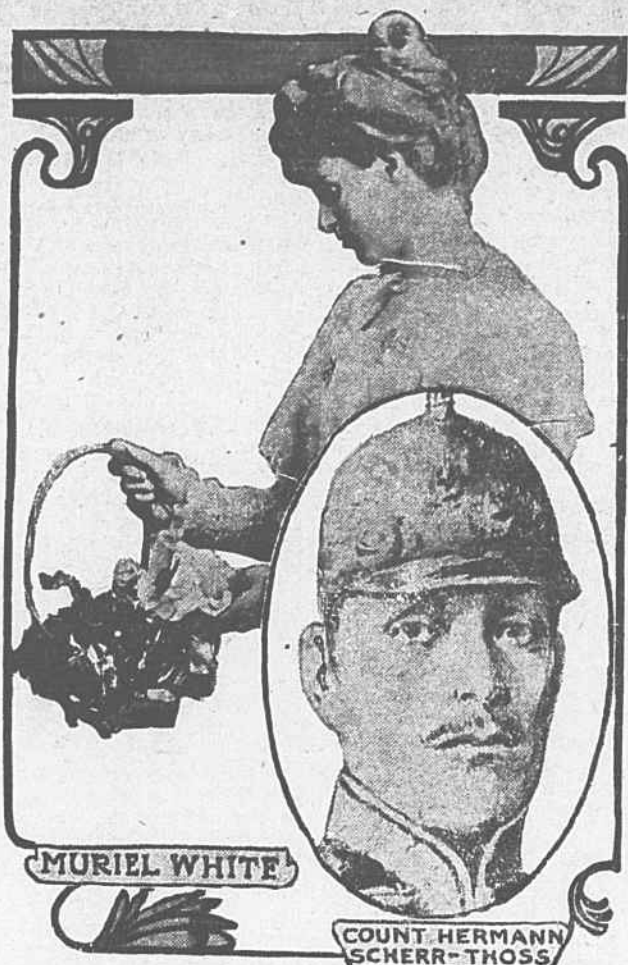
### Watch

FOR THE WHITE ICE WAG-  
ON AND HAVE YOUR ICE  
WEIGHED.

PEOPLE'S ICE CO.,  
RAY D. HARDEN, Manager.

### DIXIE

"Biograph" "Biograph" "Biograph"  
2 More Good Ones To-day. 2  
1—"THE MEDICINE BOTTLE."  
Our clever little girl actress shows  
up prominently in this picture.  
"She is certainly cute."  
2—JONES and his new NEIGHBORS.  
Showing our favorites, Mr. and Mrs.  
Jones, in a laughable comedy to splen-  
did advantage.  
"Always Good."  
Song—"AIRY MARY"—Good.



MURIEL WHITE  
DAUGHTER OF AMBASSADOR HENRY WHITE AND TITLED  
MAN SHE IS TO WED.

The betrothal of Miss Muriel White, daughter of the American ambas-  
sador to France, is the outcome of a genuine love romance. Miss White first  
met Count Hermann Scherr-Thoss at a court ball given by the German emper-  
or in Berlin last Christmas. Afterward he followed her to Paris and pressed  
his suit so ardently that their engagement quickly followed, although it was  
not announced by the ambassador for two months afterward. The count is  
the eldest son and heir of the Count and Countess Scherr-Thoss of the Prus-  
sian province of Silesia. He is an officer in the Royal Prussian cuirassiers  
and possesses two castles and a Berlin town house.

### STORES TO CLOSE FOR THE GAME

MERCHANTS' ASSOCIATION DIS-  
PLAYS THE SPIRIT WHICH EN-  
COURAGES SPORTS.

At a meeting of the Fairmont Mer-  
chants' Association held last night it  
was decided to close the stores next  
Tuesday afternoon in order to give the  
clerks, the salesmen and the sales-  
ladies a chance to see the baseball  
opening at South Side Park when the  
Hunters will take over the Connells-  
ville aggregation known as the Col-  
ers. The stores will close at 3  
o'clock.

On the same day Grafton and Un-  
ifontown will start the season at Grafton  
and Charleroi will play at Clarks-  
burg.

### Two Up Today.

Two prisoners were fined six dollars  
each in Mayor Neely's court this morn-  
ing for being drunk.

### Chief Shomaker Home.

Chief and Mrs. George H. Shomaker  
returned home last night, after a visit  
to relatives in Morgantown this week.

ATTEND THE PAWN  
BROKER'S AUCTION SALE  
311 MADISON STREET.

### DUTCH AUCTION

AT DENHAM'S  
\$100 Bed Room Suit  
\$1.00 Less Each Day Till Sold.  
To-day \$83.00.

### NEW STOCK OF DIAMONDS

AT FISHER'S.

NICE SELECTION OF RINGS

AND LOOSE STONES.

W. A. FISHER  
232 MAIN STREET.

### Water to be Off

FOR FIVE HOURS TO-MORROW BY  
ORDER OF WATER COM-  
MISSIONER.

Water Commissioner James E. Mor-  
gan will repair the leak in the water  
main near the brewery. It will be  
necessary to shut the water off to-mor-  
row morning at 8 o'clock and it will  
remain off for five hours or longer.  
The tanks on the hill will be filled to  
supply the needs of the people on the  
west side of the river.

### IBSEN'S GREAT PLAY.

Local play-goers of this city will  
have an opportunity to pass judgment  
upon one of Henrik Ibsen's most fa-  
mous dramas on Wednesday evening  
next, when Miss Florence Davis will  
present "A Doll's House."

The general public has been edu-  
cated to the fact that a production bear-  
ing the individual stamp of the great  
Norwegian writer means the best of  
everything, especially from an artistic  
standpoint, and in the hands of  
that past mistress of the theatre art,  
Miss Davis, it is only fair to presume  
that in this instance the production  
here will prove a source of infinite  
delight, and that the engagement will  
prove a source of infinite delight, and  
that the engagement will mark a new  
epoch in local theatrical events.

Mr. Lawrence Sands and Mr. H. S.  
Sands, of Wheeling, are in the city.

### FOR FANCY

and staple groceries. Home  
dressed meats and provisions  
go to S. M. Wise.

### GREEN GOODS.

celery spinach kale  
lettuce water cress parsley  
radishes onions tomatoes  
carrots

### FRUITS.

oranges bananas pineapples  
grape fruit apples lemons  
Orders delivered to all parts  
of the city.

First Delivery—8 o'clock,  
South Side, Fourth ward.  
Second Delivery—Third and  
Fifth wards at 9:30.  
Third Delivery—South Side,  
Fourth ward, 11 o'clock.

S. M. WISE,  
Main St. opp. Marietta Hotel

### Judge Mason Will Ponder Over Writ

### The Petition of Mr. McMillan Is Presented

The petition in the mandamus pro-  
ceeding in the case of O. E. McMil-  
lan vs. M. M. Neely, mayor, and Coun-  
cilmembers Z. W. Morgan, C. D. Robinson,  
A. D. Simon, G. F. Carrell, Charles  
Powell, Thomas V. Buckley, J. Lee  
Hall, James R. Linn and G. E. Brand  
came before Judge Mason to-day. Tus-  
ca Morris represented the petitioner.  
City Solicitor John Henshaw appeared  
for the mayor and the councilmen vot-  
ing to oust McMillan. Charles Powell  
will appear for himself and the coun-  
cilmembers voting against ousting Mc-  
Millan should the ruling of Judge Ma-  
son be such as would call for an an-  
swer from them.

The petition was not discussed at  
length. Mr. Henshaw contended that  
a mandamus proceeding was not the  
proper remedy. He also claimed that  
council had the right to oust its mem-  
bers. He cited a Clarksburg case  
where council ousted the mayor. That  
case was carried up to the Supreme  
Court of Appeals and the Court said  
council had the authority to do it, al-  
though the city charter did not give  
them the expressed right to oust the  
official from office.

Our charter gives council the power  
to determine the eligibility of its mem-  
bers and to oust those who are not eli-  
gible. Also that the petitioner was  
not qualified and that a subsequent  
qualification would not entitle him to  
the office.

Charles Powell contended that Mc-  
Millan's office was a property right  
that council could not take from him  
and in so doing it exceeded its auto-  
rity. According to Powell's views,  
council did not have jurisdiction in  
the case.

Morris contends that he was qual-  
ified and that council had no jurisdic-  
tion.

Judge Mason took the matter under  
advisement.

### EMBEZZLER PARDONED.

(Union Associated Press.)  
SAN FRANCISCO, May 1.—Edward  
J. Smith was sentenced to ten years  
for embezzling \$265,000. The direc-  
tors of the Folsom penitentiary  
pardoned him after a service of four years  
and he goes out to-day.

### NEW WIRELESS STATIONS.

(Union Associated Press.)  
GULFPORT, Miss., May 1.—A wire-  
less station here and another at Ship  
Island were completed to-day. A steel  
tower 100 feet high has been construct-  
ed at each point.

### FAIRMONT ICE COMPANY.

will soon have their new ice  
plant, now under construction  
in the first ward, completed,  
and until it is finished the usual  
regular service will be main-  
tained with ice furnished from  
other sources.

Our new plant is being equip-  
ped with the latest improved  
machinery to manufacture ice  
from absolutely pure distilled  
water especially for household  
trade.

Full weight, prompt service  
and courteous treatment.

FAIRMONT ICE COMPANY,  
M. M. Foster, Manager.

### Answer Harr's

?  
See Page  
4

### UNDERSELLING STORE

MAIN ST. FAIRMONT W.VA. OPP. COURT HOUSE

### EVER INCREASING SURPRISES

OFFERINGS YOU'LL BE GLAD TO READ—VALUES OF THE SEAS-  
ON'S BEST AND NEWEST GOODS AT PRICES NEVER BEFORE  
DREAMED OF BY THE CLOSEST BUYER. IT'S THE THRIFTY  
HOUSEWIFE AND THE BUSY EARNER THAT WILL MAKE  
THE INCOME GO FURTHER AND BUY MORE HERE THAN  
ELSEWHERE.

\$2.00 Ladies' Tan Black and Patent Leather Oxfords, in all styles and shapes, at 93c	\$4.50 Ladies' Pana- ma Skirts, trimmed with silk, in gored or plain styles. Under-selling Price \$1.92	Ladies' Linen Suits, the very newest cut coat, either 34 or 38 inches in all colors \$4.00 values. Under-selling Price \$2.60
Men's All Wool Spring Suits, cut in the very swellest and season's best styles, hundreds of different styles to choose from, \$12.00 grade. Under- selling Price \$6.98	\$3.00 Men's fine Dress Pants in the very latest styles, made with belt loops, side, buckle plain or cuff bot- toms. Under- selling Price \$1.48	\$5.00 Ladies' swell Hats, in the sea- son's wanted shapes and styles, trimmed in the most approv- ed manner. Under- selling Price \$1.85

Popularly Known as the Cheapest Place in Town.

### Pistol Toters Must Quit Or Take Out License

CHARLESTON, W. Va., May 1.—  
That particular piece of legislation  
passed at the last session of the leg-  
islature, by virtue of which Senator  
William S. Johnson, of old Fayette,  
got the name of "Pistol Bill," hits in  
many places and hits hard. The pis-  
tol toter is bound to get "his'n" under  
the new law, which goes into effect  
May 17, and it is the sense of the ad-  
ministration that the letter and spirit  
of the law be enforced.

Daily the mails bring letters of in-  
quiry and protest against the law  
from those whom it will affect and re-  
ports from all over the State show  
that the policemen and other officers  
of the law not bonded are making a  
great howl. Under the old law the  
person guilty of carrying a revolver,  
dirk, false knives, razor, etc., could  
be fined from \$25 to \$200 and confined  
in jail from one to twelve months. The  
person under indictment could plead  
self-defense and escape punishment  
provided he was a quiet and peaceful  
citizen and had reason to believe that  
he was in danger of bodily harm. Of-  
ficers of the law such as sheriffs, con-  
stables and policemen, were allowed  
to carry weapons.

### Penitentiary Offense.

But the pistol bill changed all this.  
A license can be issued granting per-  
mission to carry a gun, or other weap-  
on, but the person without such li-  
cense who is convicted is subject to a  
jail sentence of from six to twelve  
months for the first offense, and a sen-  
tence of from one to five years in the  
penitentiary for the second offense. In  
either case the fine is from \$50 to  
\$200. Boys under 18 may be sent to  
the reform school instead of the pen-  
itentiary.

A person desiring a license to make  
an arsenal out of himself must publish  
a notice that he will on a certain day  
make application for the license. He  
applies to the circuit court for the  
license. He must prove to the court  
that his habits are regular; that he is  
over 21 years old; that he takes not  
excessively of wine when it gives  
color to the cup; that he is not a felon,  
and that he never used such weapon  
unlawfully. He must also show to the  
court why he wants such license, and  
if the court is satisfied the license  
may be granted by the payment of a  
license tax of \$10 and giving a bond  
of \$3,500.

License Good One Year.  
The bond is conditioned that he will  
carry such weapon only in accordance  
with his application, and that he will  
pay all "costs and damages accruing  
to any one by the accidental discharge  
or improper, negligent or illegal dis-  
charge or use of such pistol." Such

### Boyle Is Ill

KIDNAPER COLLAPSED LATE YES-  
TERDAY AND IS NOW IN CRIT-  
ICAL CONDITION.

MERCER, Pa., May 1.—James H.  
Boyle, whose trial in a charge of kid-  
naping "Billy" Whittla, was continued  
until next Wednesday, collapsed late  
yesterday in the Mercer jail, and is  
said to be in a critical condition.  
Doctor M. A. Giffin, the jail physician,  
is in constant attendance upon him.  
Boyle's system has been weakened by  
inability to hold anything upon his  
stomach, and the postponement of his  
trial had a bad effect.

Mrs. Boyle was quite surprised by  
the unexpected continuance of her  
husband's case, but refrained from  
making any comment. The reasons  
given for the continuance were the ill-  
ness of the wife of W. S. Anderson,  
attorney for the defense and the mys-  
terious disappearance of the original  
information against Boyle. But there  
is a prevalent belief among the peo-  
ple here that neither side is anxious  
for an immediate trial. The members  
of the Whittla family are greatly dis-  
pleased because of the postponement.

### Will Build Brick Houses.

Mr. T. L. Brett, general manager of  
the Hammond Fire Brick Company,  
will start the rebuilding of seven  
houses to take the place of the eleven  
houses recently burned at Hammond.  
The new houses will be constructed  
of brick and will be larger than the  
houses destroyed.

### The Great Display

of Handsome Neckwear that you will  
see in LEOPOLD'S, will tempt you to  
lay in a supply for the summer.

All styles, all materials.  
50c, \$1.00, \$1.50.  
Wash Ties and Stocks—the kind  
you want.

Summer Underwear—Short Sleeves  
or Long Sleeves, White or Ebon Color,  
50c, \$1.00, \$1.50 per garment.

Union Suits, with Full Legs or Half  
Legs.  
\$1.00 and \$1.50 per suit.

Hats, Shoes, Shirts and other  
things.

### LEOPOLD'S

FOR BETTER CLOTHES,  
ON THE KORNER.